IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.PADMANABHAN NAIR

MONDAY, THE 29TH OCTOBER 2007 / 7TH KARTHIKA 1929

AS.No. 490 of 1995(C)

OS.96/1992 of ADDL.SUB COURT, ALAPPUZHA
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APPELLANTS/ DEFENDANTS 1,2,3 AND 5
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1. **T.D.SWAMINATHAN, SON OF T.K.DIVAKARAN, THARAYIL VEEDU, PATHIRAPPALLY, MARARIKULAM SOUTH P.O., ALAPPUZHA.**

2. **V.A.RAVINDRANATHAN PILLAI, SON OF K.N.MADHAVAN NAIR, RAJANILAYAM, NORTH PARUR, KOTTUVALLY P.O. PARUR VILLAGE, (NOW WORKER SPECIAL GRADE, KERALA STATE DRUGS AND PHARMASEUTICALS LIMITED, KALAVOOR, ALAPPUZHA.**

3. **C.C.ROCKEY, SON OF C.D.CHRISANTH, CHULLIKKAL, VADKKAL MURI, AMBALAPUZHA.**

4. **G.KRISHNAN NAIR, SON OF K.GOPALA PILLAI, GOPALA MANDIRAM, VAZHUTHAKKAD, THIRUVANANTHAPURAM, (NOW WORKER SPECIAL GRADE, KERALA STATE DRUGS AND PHARMASEUTICALS LIMITED, KALAVOOR ALAPPUZHA.**

BY ADV. SRI K.N.NARAYANA KAIMAL

A.S. NO.490/1995

RESPONDENTS: PLAINTIFF/ 4TH DEFENDANT
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1. SYAMRAJ KURIES AND FINANCE LIMITED,
H.O. THUMPOLY, ALAPPUZHA,
REP.BY BHARATHI VASU,
PARTNER, ANCHUTHAYYIL HOUSE,
SOUTH ARYAD, ARYAD SOUTH VILLAGE,
ALAPPUZHA.

2. T.P.VIJAYAKUMAR, SON OF T.A.PALANI,
THYPARAMBIL HOUSE, VADKKAL, ALAPPUZHA,
(NOW WORKER GRADE II, K.S.D.P.,
KALAVOOR, ALAPPUZHA.

BY

THIS APPEAL SUITS HAVING BEEN FINALLY HEARD ON 29/10/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

A.S. NO.490/1995

ORDER ON CMP. NO.3851/1995 IN AS. NO.490/1995

DISMISSED

29.10.2007 **SD/- K.PADMANABHAN NAIR, JUDGE**

/TRUE COPY/

P.A. TO JUDGE

tss

K.PADMANABHAN NAIR, J.

A.S.No.490 of 1995

Dated this the 29th October, 2007.

J U D G M E N T

It is submitted that the counsel who filed the appeal is no more. Notice issued to the appellant returned with an endorsement 'whereabouts not known'. Steps are not taken to effect service of notice on second respondent. So, I have no other option but to dismiss the appeal for non-prosecution.

In the result, the appeal is dismissed for non-prosecution.

K.PADMANABHAN NAIR,
JUDGE

nj.

K.PADMANABHAN NAIR, J.

A.S.No.490 of 1995

J U D G M E N T

Dated:29th October, 2007.